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and all others similarly situated

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**LO ET AL.,**

Plaintiffs,

v.

**COUNTY OF SISKIYOU ET AL.,**

Defendants.

Case No. 21-cv-00999-KJM-AC

**NOTICE OF RELATED CASE**

Pursuant to Local Rule 123, undersigned counsel hereby give notice that *Chang et al. v. Siskiyou County et al.* (Case No. 22-at-00807) has been filed and may be related to the above-captioned case currently before the Hon. Kimberly J. Mueller and the Hon. Allison Claire.

1 Relating the cases “is likely to effect a savings of judicial effort and other economies.” Local  
 2 Rule 123(b).

3 **I. RELATIONSHIP TO LO ET AL.**

4 Local Rule 123 requires that parties notify the court whenever two or more civil cases  
 5 filed in this district are related. According to Local Rule 123(a), cases are related when “(1) both  
 6 actions involve the same parties and are based on the same or a similar claim; (2) both actions  
 7 involve the same property, transaction, or event; (3) both actions involve similar questions of fact  
 8 and the same question of law and their assignment to the same Judge or Magistrate Judge is  
 9 likely to effect a substantial savings of judicial effort, either because the same result should  
 10 follow in both actions or otherwise; or (4) for any other reasons, it would entail substantial  
 11 duplication of labor if the actions were heard by different Judges or Magistrate Judges.”

12 *First, Chang et al.*, involves the same Defendants and is based on the same or similar  
 13 claims. Both Defendants—County of Siskiyou and Jeremiah LaRue, in his official capacity as  
 14 Sheriff—are also named in *Lo et al.* Plaintiffs in *Chang et al.*, like those in *Lo et al.*, are Asian  
 15 Americans who reside or travel in Siskiyou and seek redress from anti-Asian racism from  
 16 Defendants. Specifically, Plaintiffs in *Chang et al.*, seek relief under the same or similar claims  
 17 as those in *Lo et al.*, citing violations of their right to due process and equal protection under the  
 18 Fourteenth Amendment and right against unreasonable search and seizures under the Fourth  
 19 Amendment.

20 *Second*, both actions involve claims arising from the passage and enforcement of the same  
 21 three water ordinances. The ordinances are a water nuisance ordinance (Urgency Ordinance 20-  
 22 13 and later Ordinance 20-15, codified at Siskiyou Cnty. Code § 3-13-702), a water extraction  
 23 ordinance (Urgency Ordinance 21-07 and later Ordinance 21-13, codified at Siskiyou Cnty. Code  
 24 § 3.5-13.101 et seq.), and a water truck ordinance (Urgency Ordinance 21-08 and later Ordinance  
 25 21-14, codified at Siskiyou Cnty. Code § 3-4.1501) (collectively, “water ordinances”).  
 26 Additionally, both cases involve allegations of a practice of unreasonable vehicle stops or  
 27 seizures by the Sheriff’s Department in violation of the Fourth Amendment. The two cases  
 28 therefore arise from the same or similar events.

1 *Third, Chang et al.*, brought as a class action, calls for the determination of the same or  
 2 substantially related questions of law and fact related to the passage and enforcement of the  
 3 abovementioned ordinances. The actions involve similar questions of fact regarding racial  
 4 animus expressed by County policymakers and the Sheriff, systemic discrimination in the  
 5 County's law enforcement practices, and the impact of the water ordinances on basic water  
 6 access. These factual findings, along with the discovery necessary to establish them, will  
 7 substantially overlap in both cases, which militates in favor of relating the cases to preserve  
 8 judicial resources. The questions of law will also be substantially similar. For example, both  
 9 cases will rely on the same case law to establish whether race was an unlawful motivation for the  
 10 water ordinances.

## 11 **II. CONCLUSION**

12 For the forestated reasons, *Chang et al.* should be considered as a possible related case to  
 13 *Lo et al* under Local Rule 123.

15 DATED: August 3, 2022

/s/ John Do

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